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2. As per version of the FIR, when checking of suspicious persons and vehicles in the jurisdiction of Police Station Nathana, was going on, on seeing the police party three occupants sitting in vehicle Make – Verna, bearing registration No. HR-51-AU-4657 tried to reverse the vehicle. The police party intercepted the said vehicle and apprehended the 03 occupants of the vehicle. The vehicle was being driven by petitioner Manpreet Singh s/o Jasmander Singh; petitioner – Manpreet Singh s/o Avtar Singh was sitting on the co-driver's seat (front passenger seat) and co-accused Harshdeep Singh was seating on the rear seat behind the driver's seat. It is alleged that recovery of 402 grams of heroin was made from the said car. The contraband was kept in a transparent polythene bag, placed near the gear lever of the car and covered with a towel.

3. Learned counsel for the petitioner(s) argues that it will be a debatable issue during trial that out of three accused, who was in conscious possession of the contraband recovered from the vehicle. It is further submitted that the petitioners are aged about 28 years and 33 years. There is no past criminal antecedent against petitioner - Manpreet Singh s/o Jasmander Singh. Petitioner – Manpreet Singh s/o Avtar Singh is involved FIR No. 128 of 2023, under Sections 21B and 29 of the NDPS Act, registered at Police Station Baragudha. However, in the said case the alleged contraband recovered was of non-commercial quantity and he was involved only on the basis of disclosure statement.

Learned counsel also relied upon the order dated 10.09.2025, passed by this Court in CRM-M-49465-2025, whereby concession of regular bail has been extended to the third co-accused, namely, Harshdeep Singh. Both the petitioners are inside jail since 06.08.2024, i.e. for the last 01 year and more than 05 months. There has been no significant progress in the trial.

As per the report received from the Court of learned Additional Sessions Judge, Bathinda, vide letter No. 654, dated 20.01.2026, challan in this case was submitted on 24.12.2024 and the accused were served with formal charge under Sections 21(c) and 29 of



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the NDPS Act on 15.01.2025. There are total 28 prosecution witnesses, and 09 witnesses, including 07 material witnesses, were already examined till 20.01.2026. The prosecution has given up 07 witnesses, and wishes to examine 12 more witnesses. Thus, trial is likely to consume time.

Thus, learned counsel for the petitioners prays for grant of regular bail to the petitioners in the present case.

4. On the other hand, learned State counsel though opposed the prayer for grant of regular bail to the petitioners, but unable to dispute any of the factual assertions made by learned counsel for the petitioners before this Court today. However, he submits that the petitioners does not deserve any leniency, as there is every likelihood that once released from jail either they will abscond from trial or again can indulge in similar kind of activities.

Learned State counsel also produces custody certificates, dated 21.01.2026, of both the petitioners, which are taken on record. Registry to tag the same at appropriate place. As per custody certificates the custody period of the petitioners is 01 year and more than 05 months.

5. This Court has heard the submissions advanced by learned counsel for the parties and has also perused the record available before it.

6. It is noticed that recovery in the present case is 402 grams of heroin from three persons sitting in a car, and it will be incumbent upon the prosecution to establish during trial, as to who was in conscious possession of the contraband recovered from the vehicle. Petitioners are aged about 28/33 years. Apart from the present case, there is no past criminal history of petitioner – Manpreet Singh s/o of Jasmander Singh, and only once case is pending against petitioner – Manpreet Singh s/o Avtar Singh, wherein contraband of non-commercial quantity is stated to have been recovered and he has been nominated on the basis of disclosure statement.

Furthermore, co-accused Harshdeep Singh has already been granted regular bail by this Court, vide order dated 10.09.2025, passed in CRM-M-49465-2025. As per report dated 20.01.2026, received from the



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learned Trial Court, out of total 28 prosecution witnesses, 09 witnesses including 07 material witnesses, have been examined so far, and 12 witnesses are yet to be examined, as the prosecution has given up 07 witnesses. Thus, conclusion of trial is likely to consume time. The petitioners are inside jail since 06.08.2024.

7. In view of the totality circumstances, nature of allegations, and the factors noticed hereabove, this Court deems it appropriate to grant the concession of regular bail to the petitioners in these petitions.

8. Consequently, prayer made in these petitions is allowed. Petitioners are ordered to be released on bail, subject to furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, by each one of them, if not required in any other case.

9. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

11. It is further made clear that if, in future, petitioners are directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

12. Both the petitions stand disposed of.

13. A photocopy of this order be placed on the file of CRM-M-26779-2025.

(SANJAY VASHISTH)
JUDGE

January 22, 2026
Pkapor

Whether Speaking/Reasoned: **YES/NO**
 Whether Reportable: **YES/NO**